

Message Text

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PAGE 01 GENEVA 06942 01 OF 02 010939Z

11
ACTION IO-13

INFO OCT-01 AF-08 ISO-00 DHA-02 ARA-06 EA-07 EUR-12 NEA-10

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TO SECSTATE WASHDC 2166
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AMEMBASSY MONROVIA

LIMITED OFFICIAL USE SECTION 1 OF 2 GENEVA 6942

E.O. 11652: N/A
TAGS: SHUM
SUBJ: 29TH SESSION SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES 12 AUG - 1 SEPT

AGENDA ITEM 8 - QUESTION OF VIOLATION OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS - ADOPTION OF RESOLUTIONS AUG 30.

1. SUMMARY: DURING AFTERNOON MEETING SUB-COMMISSION (SC)
ADOPTED RESES REQUESTING: 1) AN INVESTIGATION OF THE MASSACRE DURING
RHODESIAN RAID INTO MOZAMBIQUE; 2) A STUDY OF THE HUMAN RIGHTS
SITUATION IN UGANDA AND 3) A REPORT ON THE SITUATION OF REFUGEES
IN ARGENTINA. END SUMMARY

2. FOLLOWING 4-1/2 HOUR PRIVATE MEETING SC OPENED PUBLIC DEBATE
ON RESES FOR 29TH SESSION. DRAFT ON RHODESIA RAID INTO MOZAMBIQUE
(E/CN.4/SUB 2/L.646) REQUESTS "THAT FULLEST INVESTIGATION BE
SET UP AS QUICKLY AS POSSIBLE UNDER AEGIS OF THE UN, INTO THE
MASSACRE AND THE REPORT BE PUBLISHED." DEBATE ON THE ITEM
WAS LIMITED TO EDITORIAL CHANGES. VOTE: 15 (US) - 0 - 5.

3. RES ON UGANDA (E/CN.4/SUB 2/L.647) RECOMMENDS THE HRC
"MAKE A THOROUGH STUDY OF THE HUMAN RIGHTS SITUATION IN UGANDA,
BASED ON OBJECTIVE AND RELIABLY ATTESTED INFORMATION, AND TO
SEEK THE COOPERATION OF THE GOVERNMENT OF UGANDA FOR THIS
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PAGE 02 GENEVA 06942 01 OF 02 010939Z

PURPOSE."

4. SMIRNOV QUIBBLED OVER BASIS OF RES SAYING IT DID NOT FALL UNDER EITHER AGENDA ITEMS 8 OR 11 OF SC. WHITAKER INTERVENED TO SAY SMIRNOV ALWAYS WORRIED ABOUT PREVIOUS PRECEDENTS AND COMMENTED THAT UGANDA RES WAS NOT ACCUSATORIAL; WORSE THINGS HAPPENED IN EUROPE BETWEEN 1936-1945. BUT, HE SAID BY INVESTIGATING UGANDA, SC WILL SEE WHAT CAN BE LEARNED TO PREVENT SIMILAR SITUATIONS IN THE FUTURE. HE AGREED WITH JIMETA (NIGERIA) THAT ALL CAUSES, EXTERNAL AND INTERNAL, BE COVERED IN INVESTIGATION. KHALIFA AGREED TO GO ALONG WITH RES IF EDITORIAL CHANGES WERE MADE. IN OBLIQUE REFERENCE TO ENTEBBE, EGYPTIAN SAID UGANDA'S SOVEREIGNTY HAD BEEN INVADED. NO CHANGES WERE MADE IN TEXT OF RES. VOTE: 14 (US) - 0 - 3.

5. KHALIFA, ESHUN(GHANA) AND SMIRNOV ABSTAINED. IN EXPLANATION OF VOTE SMIRNOV SAID HE VOTED AGAINST RES BECAUSE OF REASONS CITED DURING DEBATE. HIS NEIGHBOR, WHITAKER, TOLD MEMBERS HE HAD SEEN SMIRNOV ABSTAIN. CHAIRMAN (NETTEL) CONCURRED, NOTING THAT THE SECT HAD RECORDED SMIRNOV AS ABSTAINING, HOWEVER, IT WAS THE MEMBER'S PRIVILEGE IF HE WANTED TO SAY HE VOTED AGAINST THE RES.

6. PASSIONATE SPEECHES AND DENUNCIATIONS TOOK PLACE DURING DEBATE OF RES ON ARGENTINA (E/CN.4/SUB2/L.649). FOLLOWING CASSESE'S (ITALY) INTRODUCTION STATING THAT RES WAS MOTIVATED BY THE DESIRE TO ALLEVIATE HUMAN SUFFERING, VAN BOVEN REQUESTED AND WAS LISTED AS A CO-SPONSOR.

7. ORTIZ MARTIN (COSTA RICA) DISAGREED WITH THE RES AND EMPHATICALLY STATED "WE (PRESUMABLY ALL OF LATIN AMERICA) REGARD IT AS INTERFERENCE." HE NOTED THAT NO ONE TALKED ABOUT LEBANON OR IRELAND. UGANDA RES WAS SPECIFIC; IT MENTIONED KILLINGS. RES ON ARGENTINA WAS VAGUE, LOADED WITH "SEEMS" AND APPEARS TO. SPEECH WAS ABRUPTLY ENDED WHEN ORTIZ MARTIN CITED CONFIDENTIAL MATTERS OF THE SC. CHAIRMAN CAUTIONED SPEAKER NOT TO MAKE SUCH REFERENCES IN PUBLIC MEETINGS AND ORTIZ MARTIN REFUSED TO CONTINUE.

8. ARGENTINE OBSERVER ALSO COMPLAINED OF VAGUENESS IN RES AND STATED IT WAS NOT IN ACCORDANCE WITH PARA 5 OF ECOSOC LIMITED OFFICIAL USE

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PAGE 03 GENEVA 06942 01 OF 02 010939Z

RES 1503. EXCLAIMING THAT ARGENTINA RESPECTED HUMAN RIGHTS SPEAKER SAID THAT THE DECLARATION OF HR WAS IN THE GOA MAGNA CARTA. TIME FACTOR LIMITED OBSERVER TO 5 MINUTE SPEECH. HIS WRITTEN COMMENTS WILL BE PLACED IN THE RECORD. FOLLOWING ARGENTINE INTERVENTION WHITAKER REQUESTED THAT HIS NAME BE ADDED AS A CO-SPONSOR OF RES.

9. WITHOUT CHANGES IN TEXT RES WAS ADOPTED 8 (US) - 1 - 8.

10. FOLLOWING VOTE VAN BOVEN (NETHERLANDS) INTERVENED TO SAY THAT DIPLOMATIC PRESSURE HAD BEEN EXERTED TO PREVENT HIS SUPPORT OF THE RES. HE SAID SUCH PRESSURE WAS INADMISSABLE SINCE HE WAS AN INDEPENDENT EXPERT. SUCH EFFORTS EFFECTED HIM PERSONALLY AND THE SC.

11. BEFORE CLOSING MEETING NETTEL SAID HE WILL PROPOSE ACTION AT NEXT SESSION OF THE SC TO PROTECT MEMBERS FROM SUCH PRESSURES.

12. TEXTS OF TWO RESES FOLLOW. THIRD RES WILL BE FORWARDED TO DEPT WHEN REVISED TEXT RECEIVED.

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PAGE 01 GENEVA 06942 02 OF 02 010953Z

14
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R 010900Z SEP 76
FM USMISSION GENEVA
TO SECSTATE WASHDC 2167
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AMEMBASSY MONROVIA

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QUOTE

QUESTION OF THE VIOLATION OF HUMAN
RIGHTS FUNDAMENTAL FREEDOMS INCLUDING POLICIES OF RACIAL
DISCRIMINATION AND
SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH
PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT
COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION
UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

DRAFT RESOLUTION SUBMITTED BY MR. BOUHDIBA, MR. CARTER
MR. CASSESE AND MRS. QUESTIAUX, MR VAN BOVEN, MR. WHITAKER

THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES,

DEEPLY CONCERNED AT REPORTS FROM WHICH IT APPEARS THAT BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS ARE AT PRESENT IN JEOPARDY IN ARGENTINEA,

ALARMED THAT THE SITUATION DISCLOSED BY SUCH REPORTS APPEARS TO REVEAL IN PARTICULAR THAT IN ARGENTINA THE LIFE, LIBERTY AND SECURITY OF FUGITIVES FROM OTHER COUNTRIES IN THE REGION ARE THREATENED BY GROUPS OVER WHICH THE GOVERNMENT SEEMS TO HAVE NO CONTROL,

REAFFIRMING THE IMPORTANCE OF ARTICLE 3 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, WHICH STATES THAT "EVERYONE HAS THE RIGHT TO LIFE, LIBERTY AND SECURITY OF PERSON",

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PAGE 02 GENEVA 06942 02 OF 02 010953Z

RECALLING WITH RESPECT THE LEADING ROLE TRADITIONALLY PLAYED BY LATIN

AMERICAN COUNTRIES IN THE PROGRESSIVE DEVELOPMENT AT THE NATIONAL AND INTERNATIONAL LEVELS OF THE HIGHEST STANDARDS FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, IN PARTICULAR THE ROLE PLAYED BY LATIN AMERICAN COUNTRIES IN THE DEVELOPMENT OF THE NOTION AND PRACTICE OF THE RIGHT OF ASYLUM,

1. EXPRESSES THE HOPE THAT INTERNATIONAL STANDARDS ON HUMAN RIGHTS WILL BE RESPECTED FOR THE BENEFIT OF ALL NOW DEPRIVED OF THEIR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

2. APPEALS TO GOVERNMENTS TO OFFER RESETTLEMENT, IN CONFORMITY WITH THE CALL MADE ON 22 JUNE 1976 BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, TO PERSONS WHO NOW HAVE REFUGE IN ARGENTINA;

3. ASKS THE SECRETARY-GENERAL TO REQUEST THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES TO MAKE HIS REPORT TO THE GENERAL ASSEMBLY AVAILABLE TO THE COMMISSION ON HUMAN RIGHTS IN ADVANCE OF ITS NEXT SESSION, WITH ANY ADDITIONAL INFORMATION HE MAY HAVE ON DEVELOPMENTS RELATING TO THE MATTERS REFERRED TO IN THE PRESENT RESOLUTION. UNQUOTE

QUOTE

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

DRAFT RESOLUTION SUBMITTED BY MR. VAN BOVEN, MR. CAICEDO PERDOMO, MR. CARTER, MR. NETTEL AND MR. ORTIZ MARTIN

THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION
OF MINORITIES,

RECALLING RESOLUTIONS 8 (XXIII) OF THE COMMISSION ON HUMAN
RIGHTS AND 1235 (XLII) OF THE ECONOMIC AND SOCIAL COUNCIL,

TAKING INTO ACCOUNT ALARMING REPORTS ON THE HUMAN RIGHTS
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PAGE 03 GENEVA 06942 02 OF 02 010953Z

SITUATION IN THE REPUBLIC OF UGANDA,

RECOMMENDS TO THE COMMISSION ON HUMAN RIGHTS TO MAKE A THOROUGH
STUDY OF THE HUMAN RIGHTS SITUATION IN UGANDA, BASED ON OBJECTIVE
AND RELIABLY ATTESTED INFORMATION,
AND TO SEEK THE CO-OPERATION OF THE GOVERNMENT OF UGANDA
FOR THIS PURPOSE.UNQUOTE

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